

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-80914-CV-MIDDLEBROOKS/Reinhart

FIDOGENX, LLC,

Plaintiff,

v.

GMH TEQUESTA HOLDINGS, LLC,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court on a Report and Recommendation issued by Magistrate Judge Bruce Reinhart (the “Report”) on December 15, 2022. (DE 41). The Report recommends that Plaintiff’s Motion to Remand (DE 9) be granted and Defendant’s Motion to Dismiss or Transfer (DE 8) be Denied without Prejudice. The deadline to file objections to the Report elapsed on December 29, 2022. No objections have been made to date. After a careful review of Judge Reinhart’s Report and the record as a whole in this case, I agree with the Report’s recommendations.

Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

- (1) Magistrate Judge Reinhart’s Report and Recommendation (DE 41) is **ADOPTED**.
- (2) Plaintiff’s Motion to Remand (DE 9) is **GRANTED**.
- (3) Defendant’s Motion to Dismiss or Transfer (DE 8) is **DENIED WITHOUT PREJUDICE**.
- (4) This action is **REMANDED** to the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida.

(5) The Clerk of the Court shall **CLOSE THIS CASE** in this District.

SIGNED in Chambers in West Palm Beach, Florida, this 4th day of January, 2023.

A handwritten signature in black ink, appearing to read "Donald M. Middlebrooks", written over a horizontal line.

Donald M. Middlebrooks
United States District Judge